



## Legislative Bulletin.....May 24, 2007

**Contents:**

**H.R. 2317** — Lobbying Transparency Act of 2007

### Summary of the Bills Under Consideration Today:

**Total Number of New Government Programs:** 0

**Total Cost of Discretionary Authorizations:** Less than \$500,000 a year

**Effect on Revenue:** \$0

**Total Change in Mandatory Spending:** \$0

**Total New State & Local Government Mandates:** 0

**Total New Private Sector Mandates:** 1

**Number of Bills Without Committee Reports:** 0

**Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority:** 0

### **H.R. 2317 — Lobbying Transparency Act of 2007 (*Van Hollen, D-MD*)**

**Order of Business:** The bill is scheduled for consideration on Thursday, May 24, 2007, under a closed rule ([H.Res. 437](#)), therefore allowing no amendments to the bill), providing for one hour of debate (equally divided), and one motion to recommit with or without instructions.

**Summary:** H.R. 2317 would require lobbyists who “bundle” contributions to submit quarterly reports detailing the transactions, among other things. The specific provisions of the bill are summarized below.

- Requires registered lobbyists, who bundle two or more contributions exceeding \$5,000 within a quarterly period for a covered recipient (i.e. – a federal candidate), to file a report with the Clerk of the House and the Secretary of the Senate containing the lobbyist’s name, his employer, the name of the recipient of the contribution, and the total amount of contributions within that quarter (or a good faith estimate). The report is due within 45 days of the end of each quarter.
- Requires the lobbyist, within 25 days after the above report is submitted, to transmit a statement by registered mail to the covered recipient involved containing a) the

information contained in the above report, and b) the source and amount of each contribution contained in the total amount that was bundled.

- Defines “bundling” as 1) a contribution that is received by a registered lobbyist for a covered recipient and is then forwarded by the lobbyist to that recipient, or 2) a contribution that will be or has been credited or attributed to the registered lobbyist through records or other means of tracking by the covered recipient receiving the contribution.
- Defines a covered recipient as a federal candidate, an individual holding federal office, a leadership PAC, or a political party committee.

**Possible Conservative Concerns:** Some conservatives might be concerned about the increased reporting requirements placed on individuals and private companies.

**Committee Action:** H.R. 2317 was introduced on May 15, 2007, and referred to the Committee on the Judiciary. The bill was marked-up on May 17, and it was reported (amended) to the House by voice vote the same day (House Report [110-162](#)).

**Administration Policy:** A Statement of Administration Policy (SAP) was unavailable at the time of publication.

**Cost to Taxpayers:** According to CBO, H.R. 2317 will increase administrative costs in the House and Senate by less than \$500,000 a year.

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes, the bill would expand federal regulations and reporting requirements on people who neither make nor receive contributions.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** Yes. According to CBO, H.R. 2317 “would impose private-sector mandates, as defined in UMRA, on the lobbying industry. The bill would require registered lobbyists that bundle contributions to submit additional reports and disclosures to the Secretary of the Senate and the Clerk of the House of Representatives. The bill also would require those lobbyists to notify the recipients of those bundled contributions about their intent to file a report on such contributions. Based on information from the Secretary of the Senate and the Clerk of the House, CBO estimates that the aggregate direct cost of all of those mandates would fall below the annual threshold established by UMRA for private-sector mandates (\$131 million in 2007, adjusted annually for inflation).”

**Constitutional Authority:** The Judiciary Committee, in House Report [110-162](#), cites constitutional authority in Article I, Section 5, Clause 2 (the power of each House of Congress to determine its own rules of its proceedings and to punish Members for disorderly behavior), Article I, Section 8, Clause 3 (the congressional power to regulate commerce with foreign nations, among the states, and with the Indian tribes), and Clause 18 (the congressional power to make all laws “necessary and proper” for executing other constitutional powers), but does not cite the other constitutional powers referenced.

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